



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: William R. Kennedy, et al. Art Unit: 3634
Serial No.: 10/608,900
Confirmation No. 7783
Filed: June 27, 2003
For: PNEUMATICALLY-POWERED MINE DOOR SYSTEM WITH HYDRAULIC CHECKING
SYSTEM
Examiner: Not yet assigned

DECLARATION BY WILLIAM R. KENNEDY

1. My brother, John M. Kennedy, and I are co-inventors of the invention of the above-referenced patent application. I am also president of Jack Kennedy Metal Products and Buildings, Inc., a company which manufactures and sells mine equipment, including hydraulically- and pneumatically-powered mine door systems.

2. Jack Kennedy Metal Products and Buildings, Inc. prepared numerous copies of an advertising brochure entitled "Kennedy Power Machine Doors" (the "Brochures") in 2001, one of which is being provided via an Information Disclosure Statement submitted in accordance with 37 C.F.R. 1.97 and 1.98 and MPEP 609, in compliance with the duty of disclosure set forth in 37 C.F.R. 1.56. Another of the Brochures is attached hereto as Appendix A.

3. A copyright notice for the year 2001 is printed on the back of the Brochures. The date of this copyright notice reflects the fact that the Brochures were prepared in 2001 in anticipation for bulk mailing to potential customers in 2001.

4. There was a significant delay between the date of completion of the Brochures and the mailing date of the Brochures to potential customers.

5. A large number of the Brochures were deposited with the United States Postal Service on July 2, 2002 for bulk mailing to potential customers. A copy of a form used to generate transmittal letters for the Brochures is attached hereto as Appendix B.

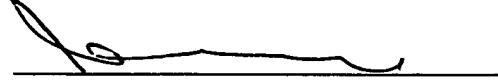
6. In preparation for mailing the Brochures to potential customers, a Coding Accuracy Support System ("CASS") report was completed on June 27, 2002 to verify address information for the potential customers. A copy of the CASS report is attached hereto as Appendix C.

7. The Brochures were delivered to the Post Office for mailing on July 2, 2002. A copy of the receipt for the postage for the mailing of the Brochures and transmittal letters is attached as Appendix D.

8. The Brochures were not available to any member of the public at any time prior to the mailing on July 2, 2002.

9. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false

statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

By: 

Printed Name: William R. Kennedy

Date: 11-4-03

07/02/2002

255.59

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POSTMASTER
TAYLORVILLE POST OFFICE
300 S MAIN ST
TAYLORVILLE IL 62568



Store USPS	Trans 9
Wkstn sys5002	Cashier XRB4G0
Cashier's Name	DONNA
Stock Unit Id	SIADONNA
PO Phone Number	217-824-3210
USPS #	1615500568

1. P I/Add'l Postag 255.59
 ***** Paid In *****
 AIC Number: 0052
 Customer: Jack Kennedy
 Account #: 218
 Control #: 826

Subtotal	255.59
Total	255.59

Personal/ Business Check	255.59
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Number of Items Sold: 0

Thank You